

ESTTA Tracking number: **ESTTA458333**

Filing date: **02/24/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91203191
Party	Defendant Kent G. Anderson
Correspondence Address	DWAYNE L BENTLEY DL BENTLEY LAW GROUP PLLC 350 5TH AVE STE 5720 NEW YORK, NY 10118 UNITED STATES dlb@dlbentleylawgp.com
Submission	Request to Withdraw as Attorney
Filer's Name	Dwayne L. Bentley
Filer's e-mail	dlb@dlbentleylawgp.com
Signature	/Dwayne L. Bentley/
Date	02/24/2012
Attachments	Proof of Service.pdf ( 1 page )(403049 bytes ) Motion Withdraw1.pdf ( 1 page )(616774 bytes ) motion to withdraw2.pdf ( 1 page )(619032 bytes ) Motion to withdraw3.pdf ( 1 page )(210624 bytes ) motion to withdraw4.pdf ( 1 page )(287182 bytes )



DL BENTLEY LAW GROUP PLLC <dlb@dlbentleylawgp.com>

---

## Notice of Opposition - 91203191

---

DL BENTLEY LAW GROUP PLLC <dlb@dlbentleylawgp.com>  
To: Future Kent Anderson <milmntec@btinet.net>

Thu, Dec 29, 2011 at 4:57 PM

Hey Kent,

I just received this Notice of Opposition papers from Future Ads, which has a response due on Feb 7, 2012. As I informed you before, I will not be able to handle all of your cases any more. I will review your cases and inform you, which ones I will not be handling. Thanks.

Best Regards,

Dwayne

[Quoted text hidden]

--  
"From what we get, we can make a living; what we give, however makes a life." Arthur Ashe

DL BENTLEY LAW GROUP PLLC  
350 Fifth Avenue, 57th Floor, Suite 5720  
Empire State Building  
New York NY 10118  
Telephone: 212-564-7740  
Facsimile: 212-401-4040  
Website: www.dlbentleylawgp.com  
Email: dlb@dlbentleylawgp.com

---

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

---

Future Ads, LLC

Plaintiff,

vs.

Kent G. Anderson

Defendant.

Opposition No. 91203191

Mark: FUTURE ADS

Application No.:76/133,905

---

Commissioner for Trademark  
Trademark Trial and Appeal Board  
PO Box 1451  
Alexandria, VA 22313-1451

**Defendant's Attorney Request to Withdraw as Attorney under Trademark Rule 2.19 (b)  
and Patent and Trademark Rule 10.40**

1. Defendant's Attorney, Dwayne L. Bentley, Esq. of DL BENTLEY LAW GROUP PLLC, respectfully request to withdraw as attorney for this matter under Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40 for the reasons shown below.
2. Under Trademark Rule 10.40, the Defendant's Attorney Dwayne L. Bentley, Esq. withdraws from this matter
3. A) Specification of the basis for this request is that under Trademark Rule 10.40 c)1)v) the client, Kent Anderson is engaging in conduct that is contrary to the judgment and advice of the practitioner but not prohibited under the Disciplinary Rule. The Defendant's attorney has represented the client, Kent Anderson in various trademark matters for over two years before the United States Patent & Trademark Office and is currently representing him in other trademark matters. However, the Defendant's attorney upon review of this recently filed, December 29, 2011, Notice of Opposition the attorney is unable to provide a defense for the client, Kent Anderson. The Defendant's attorney participated in a previous action for "Future Ads" and was unable to overcome the arguments by the Plaintiff and he has informed the client, Kent that he doesn't believe he has any arguments to overcome the Plaintiff's arguments.

In addition, under c)5) the client, Kent Anderson knowingly and freely assents to termination of employment. The Defendant attorney has spoken to the client and he


understands the situation and has retained another attorney, Jim Palmatier to represent him in this matter.

4. B) When the Defendant's Attorney received the Notice of Opposition on December 29, 2011, as is common, between the Defendant attorney and client, Kent Anderson the Defendant's Attorney emailed the Notice of Opposition and informed the client that may not be handling this case because he didn't see that there was a way to defend the Notice of Opposition. As is customary, the Defendant's attorney informed his client, Kent Anderson by phone on January 2, 2012 that he would be unable to represent him for this matter. Since the Defendant's attorney informed him soon after receiving the December 29, 2011 notice the Defendant's attorney believes he gave the client, Kent Anderson sufficient time to find another attorney to handle this matter. In fact, the client Kent Anderson informed the Defendant's attorney that he retained Jim Palmatier to represent him in this matter. Kent Anderson contacted me and told me I should speak with Jim Palmatier. I spoke with Jim Palmatier about this case.
5. C) The Defendant attorney didn't receive any payment to represent his client, Kent Anderson in this particular matter so no money needs to be returned to him.
6. The Defendant attorney has attached the email notification sent to the client, Kent Anderson to inform him that he may not be handling this matter. On January 2, 2012, the Defendant's Attorney called Kent Anderson and told him that he will not be able to handle this matter for him.
7. In conclusion, the Defendant Attorney has provided his reasons for withdrawal as attorney for this matter under Trademark Rule 10.40 and Trademark Rule 2.19(b) and statement provided to the client that he is withdrawing with proof of service. In addition, the Defendant attorney has received no money to represent Kent Anderson for this matter. Thus, the Defendant attorney should be allowed to withdraw from this case under Trademark Rule 2.19(b) and Patent and Trademark Rule 10.40.

WHEREFORE, the Defendant attorney respectfully requests that he be allowed to withdraw from representation of his client, Kent Anderson.

Dated: February 24, 2012

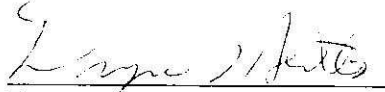
Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Dwayne L. Bentley". The signature is fluid and cursive, with the first name "Dwayne" being more prominent.

Dwayne L. Bentley  
DL BENTLEY LAW GROUP PLLC  
Attorney for Defendant, Kent Anderson  
26 Court St., Suite 405  
Brooklyn, NY 11242  
Phone: (718)260-9556  
Fax: (718)596-2610

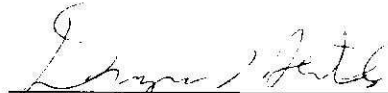
### **CERTIFICATE OF TRANSMITTAL**

I hereby certify that a true copy of the foregoing REQUEST FOR WITHDRAWAL AS ATTORNEY is being filed electronically with the TTAB via ESTTA on this day, February 24, 2012.

  
Dwayne L. Bentley

### **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing REQUEST FOR WITHDRAWAL AS ATTORNEY BEING SERVED ON the Plaintiff this 24th day of February 2012 by sending same via First Class Mail postage prepaid to:

  
Dwayne L. Bentley

Christopher J. Palermo  
Hickman Palermo Truong & Becker LLP  
2055 Gateway Place Suite 550  
San Jose, CA 95110